

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SANDRA L. KINNEY, *et al.*,

No. C-12-4477 EMC

Plaintiffs,

RELATED TO

v.

No. C-12-4478 EMC

BRISTOL-MYERS SQUIBB COMPANY, *et al.*,

No. C-12-4615 EMC

No. C-12-4616 EMC

No. C-12-4617 EMC

No. C-12-4619 EMC

No. C-12-4633 EMC

No. C-12-4641 EMC

No. C-12-4642 EMC

No. C-12-4803 EMC

Defendants.

AND ALL RELATED ACTIONS.

**ORDER STAYING LITIGATION
PENDING DECISION BY MDL
JUDICIAL PANEL**


At a hearing held on November 30, 2012, the Court discussed with the parties whether there should be a stay in the above-referenced lawsuits in light of Bristol-Myers and Sanofi's motion to transfer and consolidate with the Judicial Panel on Multidistrict Litigation (which was filed on October 15, 2012). *See* Docket No. 19 (notice). Having considered the parties' positions, as articulated in their joint case management statement and at the hearing, the Court concludes that a stay is warranted. There is a reasonable likelihood that issues currently before this Court (*e.g.*, fraudulent joinder, CAFA jurisdiction, and/or procedural misjoinder) will arise in other Plavix cases filed in other district courts. Moreover, Plaintiffs have not adequately established that they would be prejudiced by any delay resulting from a stay, particularly where the stay is likely to be brief in

length. *See* Docket No. 24 (CMC St. at 4) (stating Defendants' best estimate that the panel hearing will take place on January 31, 2013).

Accordingly, the Court hereby **STAYS** the litigation in each of the above-referenced actions pending a decision by the MDL Judicial Panel on the motion to transfer and consolidate.

IT IS SO ORDERED.

Dated: December 3, 2012


EDWARD M. CHEN
United States District Judge